

**MINUTES OF THE
CHILD WELFARE LEGISLATIVE OVERSIGHT Panel**
September 13, 2000 -- 10:00 a.m. -- Room 416 State Capitol

Members Present:

Rep. Nora B. Stephens, House Chair
Sen. Dan R. Eastman, Senate Chair
Sen. Gene Davis
Rep. Matt Throckmorton
Rep. Trisha Beck

Staff Present:

Mr. Mark D. Andrews,
Research Analyst
Ms. Janetha W. Hancock
Associate General Counsel
Ms. Tracey Fredman
Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call to Order and Approval of Minutes -- Chair Stephens called the meeting to order at 10:05 a.m. She introduced Sen. Dan Eastman and welcomed him to the Panel. Chair Stephens also announced that Mr. Chet Loftis has accepted another employment opportunity and will no longer be working as staff to the Panel.

The July 14, 2000 minutes indicate that "Sen. Davis requested to make a statement for the record but was ruled out of order at that time by the chair." Sen. Davis asked that it be noted that the purpose of his request was to declare a conflict of interest.

MOTION: Rep. Throckmorton moved that the minutes of the July 14, 2000 meeting be approved. The motion passed unanimously.

2. Medicaid Funding of Foster and Adopted Children -- Chair Stephens said that The Department of Human Services and The Division of Health Care Finance (Medicaid) would be responding to the following questions raised at the last meeting: (1) whether the state should continue to rely on the public mental health system as the primary provider of services for adopted children; and (2) whether adoptive families should continue to receive extraordinary assistance not available to other populations receiving publically funded mental health services.

Ms. Robin Arnold-Williams, Executive Director, Department of Human Services, commented that currently adopted children are "carved in" and foster children are "carved out" of the capitated system. She said the department supports the concept of a managed care approach to the delivery of many health and human services and believes that in the long term all adopted and foster children should be "carved in" to the capitated mental health system. She said it would be possible to do this within an approximate 24-month time frame. Ms. Arnold-Williams said that meanwhile there are difficulties encountered by adoptive parents when children make the transition from a being a foster child to being an adopted child. She said that in the short term it would be preferable to ensure consistency by carving adoptive children out of the capitated system until all foster and adopted children can be brought into the system.

Other recommendations made by Ms. Arnold-Williams include: (1) that all services for adopted children be required to be provided through an approved Medicaid provider, with contracts in place with DCFS; (2) that additional monitoring and oversight of the authorization, utilization, and outcomes associated with these services be provided; and (3) that new policies be enacted in statute.

Ms. Arnold-Williams suggested that adoption subsidies be thought of in the same way as school enrollment in public and higher education. She recommended establishing a similar package, so that modifications could be made based upon the estimated annual increase of adopted children into the system rather than starting over each year to debate whether growth will be funded at all. Sen. Davis raised the point that enacting a new policy into statute doesn't guarantee that the issue will be addressed or funded in the future.

Rep. Stephens asked if the availability of appropriate mental health providers for adopted children was something that needed to be addressed. Ms. Arnold-Williams said that it was, especially in the rural areas of the state.

Mr. Roy Dunn, Assistant Director of Medicaid, briefly discussed the contractual arrangements between Medicaid and DCFS. He spoke in support of the approach presented by Ms. Arnold-Williams.

MOTION: Sen. Davis moved that the Child Welfare Legislative Oversight Panel be given statutory authority to have fiscal oversight and to report to the Health and Human Services Joint Appropriations Subcommittee and the Executive Appropriations Committee, in addition to the Health and Human Services Interim Committee. Also, that staff draft appropriate language to implement the motion. The motion passed unanimously.

MOTION: Rep. Throckmorton moved that staff draft language to: (1) implement a WPU-type funding mechanism for adoption subsidies, including identification of the funding stream; (2) indicate what services adoptive parents can expect from the state; and (3) include funding for adoption subsidies as a line item in the appropriations process. The motion passed unanimously.

MOTION: Sen. Davis moved that the Panel recommend to the Legislature that a task force be created to deal with the recommendations made by the Department of Human Services regarding the provision of mental health services to foster and adopted children and that staff draft language to create the Task Force. The motion passed unanimously.

3. Kinship–DCFS Philosophy and Practice – Mr. Richard Anderson, Deputy Director, DCFS, referred to the handout *Kinship Care - Current Philosophy*. He said that all children need enduring relationships that can provide stability, belonging, and a sense of self-connectedness to

their past. He also stressed the importance of understanding families' traditions and cultures. Mr. Anderson explained that informal kinship care occurs when families work matters out among themselves. He said that in the last seven years formal kinship care has increasingly become a part of the child welfare system.

Jennifer Mahan talked about her experiences as an aunt to a child taken into state custody about a year ago. She explained that the child was taken while sleeping, without prior notification to the parents or any other family members. Ms. Mahan expressed her feelings about the importance of family involvement during times of crisis.

Ms. Joelle Horel, Foster Parent Relations Specialist, DCFS, discussed briefly some of the current practices employed by DCFS, including the use of kin-locators, family conferences, supports through Medicaid, foster care licensing, and guardianship and adoption services and subsidies. She also discussed barriers to kinship care.

Kaye Harrison, Office of Licensing, DCFS, explained the 90-Day conditional license program developed to license kinship homes more quickly than regular foster care homes.

Mr. Ken Patterson, Director, DCFS, said the Division will propose legislation this year to establish a process that triggers a shelter hearing and services when a child is placed immediately with a relative and wouldn't otherwise go through a shelter hearing.

4. **Other Business** – The next meeting will be October 17, 2000 at 10:00 a.m.
5. **Adjourn** -- The meeting was adjourned at 12:20 p.m.

